



DEPARTMENT OF CONSERVATION

OFFICE OF MINE RECLAMATION

801 K STREET • MS 09-06 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 323-9198 • FAX 916 / 445-6066 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

California Abandoned Mine Lands Forum March 15, 2006 Minutes

Meeting Location:

California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825

ATTENDEES

| |
|---|
| Andrew Rush, Department of Conservation (DOC), Division of Land Resource Protection |
| Cy Oggins, DOC, Abandoned Mine Lands Unit |
| Dennis Amoroso, Advanced Materials Processing, Inc. (AMPI) |
| Greg Pelka, State Lands Commission |
| Greg Reller, Tetra Tech |
| Jan Carey, DOC, Abandoned Mine Lands Unit |
| Jessica Kaslow, Department of Health Services |
| Patrick Morris, Regional Water Quality Control Board, Central Valley |
| Raquel Price, AMPI |
| Roger Hothem, U. S. Geological Survey |
| Sandra Lunceford, Tech Law, Inc. |
| Susan Kohler, DOC, California Geological Survey |
| Tom Filler, State Lands Commission |
| Tracy Gidel, Nevada County Dept. of Environmental Health |

FACILITATION AND MEETING SUMMARY

Facilitator: Stephen L. Jenkins, Michael Brandman Associates

Meeting Minutes: Erika Bennett, Michael Brandman Associates

Start time: 9:10am

I. Welcome, Introductions and Agenda Review

Steve Jenkins started the meeting by introducing himself as the new meeting Facilitator, along with Erika Bennett (as official note taker) from Michael Brandman Associates. Steve welcomed AML Forum attendees, asked for introductions since some first-time attendees were present, and circulated the attendance sheet to help update the AML master email list. Attendees then introduced themselves.

II. Announcements

Patrick Morris mentioned the introduction of Assembly Bill (AB) 2901 (Wolk). This bill would enact the Mercury Monitoring and Remediation Act and establish the Mercury Monitoring and Remediation Fund to be administered by the State Water Resources Control Board (SWRCB). Fund purposes would include grants for mercury monitoring, projects that reduce mercury levels, public education and outreach, etc. The bill also has requirements related to mercury total maximum daily load (TMDL) implementation plans. A link to AB 2901 is at: http://www.leginfo.ca.gov/pub/bill/asm/ab_2901-2950/ab_2901_bill_20060224_introduced.html.

With respect to mercury funding, Cy Oggins noted that the DOC and other agencies had recently completed reviewing proposals submitted through the SWRCB's Consolidated Grants Program, some of which addressed mercury contamination associated with abandoned mines. Under this Program, the SWRCB is authorized to administer bond funds from Propositions 40 and 50 and federal appropriations for Fiscal Year 2005-06 (the SWRCB consolidated these grants to simplify the grant application process, provide coordination with partner agencies, and allow broader statewide funding needs to be addressed).

Cy also reported on an accident over the weekend involving two men who drove a Suzuki Samurai up a pile of mine tailings then fell approximately 30 feet down a 60-foot vertical mine shaft. The men, who were riding off-road in a "limited use" area (where travel is restricted to identified safe routes) on Bureau of Land Management (BLM) property in Imperial County, were trapped in the shaft for about 20 hours before they were discovered and rescued. BLM and Department of Conservation (DOC) Abandoned Mine Lands Unit (AMLU) staff posted the site and discussed remediation options. The shaft will be fenced or permanently backfilled in the near future.

III. Agenda Review

Steve Jenkins reviewed the Agenda and explained that the allotted times set for each agenda item would be used as a tool for keeping the meeting on schedule. He mentioned that some Agenda items were carried over from previous meetings and relate to such topics as:

- Where is the Forum going, what is its purpose and interests?
- How can the Forum maximize coordination among the agencies?

Steve requested that Forum attendees, in the future, review the Agenda and supporting materials prior to the meetings, and be prepared to discuss items listed.

IV. Review Minutes of Previous Meeting

The attendees reviewed the meeting minutes from the previous meeting on December 14, 2005. There were no changes, exceptions, or objections.

V. Follow-up to August 2005 Forum Meeting Discussion on Restoration of Abandoned Mine Sites (RAMS) Program/Funding of High Priority Projects

Cy Oggins provided a summary of the RAMS Program, which is administered by the U.S. Army Corps of Engineer's (Corps). The RAMS program was created in 1999 as part of the Federal Water Resources Development Act to support abandoned mine restoration in noncoal-producing states. California does not currently have any active coals mines and, therefore, does not receive funding through the Federal Surface Mining Control and Reclamation Act (SMCRA). The RAMS Program needs to be reauthorized every year, and funding also needs to be re-appropriated every year.

Cy also provided a list and description of 16 projects proposed by the Department of Conservation and Corps for Federal Fiscal Year (FFY) 2007 RAMS funding. The proposed project list was compiled with input from AML Forum and Sierra Trinity Abandoned Mine Lands Agency Group (STAMLAG) member agencies. Patrick Morris briefly discussed one proposed RAMS project: Abbott and Turkey Run Mines. A summary of this project can be found in the FFY 2007 list of proposed projects.

Cy will continue to update Forum members on the status of efforts by the State to secure RAMS FFY 2007 funding. The update will also set the stage for Forum members to identify potential candidate projects for FFY 2008 RAMS funding during a more detailed presentation at a future Forum meeting.

VI. Follow-up to August 2005 Forum Meeting Discussion Regarding Future Forum Meeting Process and Topics

Develop roadmap of where Forum is going

This agenda item discussion focused on materials attached with the Agenda, including the Forum Charter. Steve Jenkins suggested that Forum members review the Forum's mission and the Purpose Statements contained in the Charter; these can be used to establish a framework for future Forum meetings and to identify a roadmap for the Forum to achieve its goals. The Forum Charter section on Purpose states:

1. Represent the diversity of interests in abandoned mine remediation in California and identify areas of common concern within which to take group action.
2. Take a leadership role in planning ways to address high priority areas identified by the group. This includes identifying opportunities to collaborate and/or forming partnerships in order to get the job done. (Example for water boards, refer to TMDL list.)
3. Advance professional/technical knowledge by exchanging "Lessons Learned" experiences, approaches and essential ideas related to evolving AML initiatives and policies.
4. Support a more efficient and effective implementation of programs and tools used to address California's abandoned mine land problems.

5. Use its website to record this group's work and to further relevant information dissemination to all parties interested in California's abandoned mine lands remediation work.
6. Provide input to develop criteria for selecting and addressing abandoned mine sites for remediation.

A discussion ensued on how to enhance making the Forum THE place to go to discuss abandoned mine issues in California. Suggestions as to how to achieve this included:

- Redefine what the Forum is about and where it is headed.
- Expand the meeting focus beyond "show and tell" projects. Several participants, however, expressed a strong desire to continue devoting some Forum time to project presentations.
- Develop continuity among all Agencies dealing with AML.
- Provide outreach and education.
- Coordinate and prioritize funding requests.
- Coordinate with local agencies to get them more involved.
- Evaluate expanding participation Statewide to include southern California.

This discussion will set the stage for more detailed presentations at subsequent Forum meetings, and engage all Members in helping to get the most benefit for their agency or organization out of the time spent at these meetings.

Location(s) for future meetings

The discussion turned to how to increase Forum member participation, particularly how to increase Southern California representation. Many abandoned mines are located in the southern part of the State, and there are different mine issues in northern and southern areas. Southern California members not in attendance may be missing out on valuable information. Suggestions included:

- Having meetings at a regional level, possibly Northern and Southern California.
- Have one AML Forum with two or more separate groups.
- Set up a teleconference line or find out the feasibility of videoconferencing.

Cy Oggins, DOC, will evaluate these options and report back at a later meeting.

Identify "flow chart" of various AML processes of various agencies

Numerous federal and State agencies have programs that address some aspect of abandoned mine lands, including the Department of Conservation, Department of Toxic Substances Control, State Lands Commission, State Water Resources Control Board, Regional Water Quality Control Boards, Bureau of Land Management, National Park Service, U.S. Forest Service, and others. Forum participants expressed a desire to devote Forum meeting time to identify common links between agency programs in order to avoid competition and duplication of efforts and enhance agency collaboration.

VII. Follow-up to December 2005 Forum Meeting Discussion Regarding Cost-Benefit Analysis of Abandoned Mine Closures/Remediation Projects

Steve Jenkins noted that the Boston Placer Mine and the Sailor Flat Mine presentations at a prior Forum meeting were interesting in that two different agencies, BLM and USFS, handled the remediation operations of both mines using different methods, and that an analysis of the costs and benefits of each of these projects would be useful. Steve asked participants about the availability of cost/benefit information. (What are the costs and the benefits of closing abandoned mines? What information is available to assess the cost and benefits of one AML clean-up/remediation method over another?)

Regarding Nevada County, Tracey Gidel mentioned that there are different driving forces for both short-term and long-term remediations.

- Short-term forces include avoidance of accidents, and future development of the sites for revenue income.
- Long-term issues include potential of unforeseen health issues.

The question was then asked, how do we determine benefit? It's possible that it may not be quantifiable. Is the benefit greater for a clean developable site vs. capped-over site? Is the benefit determined qualitatively regarding future development vs. non-development, and the subsequent value therein? Can the benefit be determined of a recreation day lost fishing, when the fish that are caught are contaminated?

A value of exploring this topic is in developing information to assist in explaining the importance of the AML program and to be able more successfully seek funding sources based on identifying cost benefits.

Since no one had filled out the Draft Template of Cost /Benefit Information for Abandoned Mine Project (dated March 7, 2006), further discussion was postponed for a future meeting. Forum members were encouraged to fill out the draft template for a project of their choosing and return it to Steve before May 3.

VIII. Other Items / New Business

Steve invited meeting participants to discuss items not on the agenda or new business

Jessica Kaslow, Department of Health Services

Synopsis: Fish contamination is a serious environmental and public health concern. Mercury accumulates in fish in the Sacramento-San Joaquin Delta watershed at levels that may pose neurological health risks to people who consume the fish. Mercury is prevalent in our watershed due to human activities, such as historic gold mining in the Sierra Nevada, but further research is needed to understand the extent of the problem.

The California Bay-Delta Authority approved a \$4.5 million proposal to examine mercury in fish in the Bay-Delta watershed, and to increase public awareness of fish contamination issues, with the overall goal of reducing human exposure to mercury. Partners in this project include the San Francisco Estuary Institute, UC Davis, the California Department of Fish and Game, the California Department of Health Services, and the California Office of Environmental Health Hazard Assessment.

Dennis Amoroso, Advanced Materials Processing, Inc. (AMPI)

Synopsis: AMPI has developed a new air-separation technology to process ore and tailing dumps, recover any value available in the ore, and generate revenue in the process. This technology allows AMPI to process ore in the dumps in compliance with California EPA codes. Profits are realized in two ways; processing and sale of 100 percent of the ore and increased value of the land as a result of the toxic clean up. Ore located on three separate demonstration sites equals approximately 400 acres in surface area and contains approximately 1,000,000 tons of raw ore on the surface. The ore is slate and quartz mix, the slate being crushed and sold for asphalt production and the quartz being smelted for the gold content. The assays show .25 ounces of gold per ton average for all 3 sites. The production facility is on a 640-acre site with existing buildings, power, water, and natural gas.

AMPI looks forward to being involved in AML remediations in any way that it can and plans to participate at the Forum meetings from now on. If AMPI's operations and technology can in any way affect the outcome of an agency's request for funding, such as a viable option for cleanup or working with the private sector, Dennis would be happy to help. Since AMPI's operations would be self-funded, they are not interested in any kind of funding. Please consider AMPI as a potential funding partner or grant program/partner. For further information, call Dennis at 866-616-4601.

IX. Summary of Action Items from Meeting (Return all items to Facilitator Steve Jenkins, sjenkins@brandman.com, by May 3).

- Forum members should write up a half-page summary of their Agency's and their personal interest in participating in the Forum and what they want to achieve as a group. Attendees are to review underlined portions of Items 1-9 of Forum Purpose Statement on page 7 of 8 of the March 15, 2006 meeting agenda (see also above) and address these items in the half page summary. The summary should also identify the top three highest priority issues of their Agency related to AML, along with the suggested purpose and desired outcome for each.
- All Forum members were also asked to fill out the Draft Template of Cost/Benefit Information for Abandoned Mine Project, dated March 7, 2006 for a project of their choosing and return it to Steve before May 3.
- Cy Oggins will follow up with Sarah Reeves to obtain the results of a previous STAMLAG meeting discussion on criteria for selecting and addressing abandoned mine sites for remediation. Cy will also look into feasibility of a teleconference line and videoconferencing.

- Greg Reller will review DTSC, BLM, ACOE, Forest Service and State Lands Commission websites regarding abandoned mines and send links.
- Tracy Gidel will send DTSC volunteer cleanup program information.
- Tom Filler will research and forward AML cost-benefit analysis from other states that he is familiar with.

X. Future Meeting Schedule and Agenda Ideas

The next meeting is scheduled for **May 17, 2006 at 10:00 a.m.** Location is TBD. Steve Jenkins will contact the Natomas School District for a possible future meeting location. Tracy Gidel offered to host a future meeting in Nevada County, and to set up a site visit.

Agenda ideas and suggestions for future meetings:

- Based on results of Action Items, continue discussion of items relating to Forum Purpose and map out a roadmap for the next two years of Forum meetings to accomplish these goals.
- Complete cost/benefit questions for a typical project as attached to March 2006 Agenda.
- Develop AML Process flow chart for each agency to combine into overall chart
- Identify broader AML funding sources, future opportunities, and submittal deadlines in advance. Provide a brief update on RAMS status.
- Present "show-and-tell" on unique mine closures or remediations and identify how they fit into the idea of a cost/benefit analysis.
- Possibly rotate meetings between northern and southern California OR establish a mirror Forum group in southern California to broaden the exposure and participation – particularly in the desert.

XI. Meeting Evaluation

All were in agreement that it was a good meeting. Tracy Gidel said he was pleased with the discussion of local government issues and participation. Dennis Amoroso said the meeting exceeded his expectations.

Forum Adjourned – 11: 40am